

Remarks

According to the Advisory Action, the Amendment filed on August 13, 2007 has been entered. The Advisory Action indicates that claim 5 is allowed, claims 9 and 14-17 are objected to, and claims 2-4, 6-8 and 10-13 are rejected.

Claims 2 and 4-17 are pending herein. By this Amendment, claim 3 has been canceled, and claim 2 has been amended.

Claim 2 has been amended to recite that the temperature measuring element, the display device, the operation switch, and the vibration generator are arranged in the longitudinal direction of the electronic clinical thermometer in the order of:

temperature measuring element – display device – operation switch – vibration generator.

Support for this amendment can be found in the specification at, e.g., Fig. 2.

In the Final Office Action and the Advisory Action, claims 2-4, 6-8 and 10-13 are rejected under §102(b) as being anticipated by JP 61062831 to Uehara et al. (“Uehara”); and claims 9 and 14-17 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In view of the amendments and remarks herein, Applicants respectfully request reconsideration and withdrawal of the rejection and objection set forth in the Office Action.

I. Rejection of Claims 2-4, 6-8 and 10-13

Claims 2-4, 6-8 and 10-13 are rejected under §102(b) as being anticipated by Uehara.

As noted above, claim 3 has been canceled. Claims 4, 6-8 and 10-13 depend directly or indirectly upon claim 2.

Applicants respectfully submit that claims 2, 4, 6-8 and 10-13 are not anticipated by Uehara.

Claim 2 has been amended to recite that the temperature measuring element, the display device, the operation switch, and the vibration generator are arranged in the longitudinal direction of the electronic clinical thermometer in the order of:

temperature measuring element – display device – operation switch – vibration generator.

With the above arrangement, when a user operates the operation switch, the vibration generator is located in the palm of the user, thereby allowing the vibration generated by the vibration generator to be transmitted easily to the user's palm.

On the other hand, in the electronic clinical thermometer disclosed in Uehara, the display device (liquid crystal 7), the vibration generator (electromagnetic buzzer 8), and the operation switch (switch rubber 9) are arranged in the order of:

temperature measuring unit – display unit – vibration generator – operation switch, wherein the temperature measuring unit corresponds to the sensor cup 3, the display unit corresponds to the liquid crystal cell 7, the vibration generator corresponds to the electromagnetic buzzer 9 and the operation switch corresponds to the rubber switch 9.

With the arrangement used in Uehara, when a user operates the operation switch (i.e., rubber switch 9), the vibration generator (i.e., electromagnetic buzzer 8) lies outside the area of the operator's hand. As a result, it is difficult for the vibration of the electromagnetic buzzer 8 to be transmitted to the operator's hand while holding the thermometer. In contrast, in Applicants' claimed thermometer, when a user operates the operation switch 11, the vibration generator lies within the operator's hand, thereby making it easy for the vibration of the vibration generator to be transmitted to the operator's hand holding the thermometer.

Thus, in view of the amendments and remarks herein, Applicants respectfully submit that Uehara does not anticipate claims 2, 4, 6-8 and 10-13.

II. Objection to Claims 9 and 14-17

Claims 9 and 14-17 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 9 and 14-17 depend directly or indirectly upon claim 2. For the reasons given above, Applicants submit that amended claim 2 is patentable over Uehara. Thus, Applicants respectfully submit that claims 9 and 14-17 are also patentable over Uehara.

Thus, for at least this reason, Applicants respectfully submit that 9 and 14-17 are in allowable form.


III. Conclusion

In view of the amendments and remarks, Applicants respectfully request that the rejection and objection set forth in the Office Action be withdrawn and that claims 2 and 4-17 be allowed.

If any additional fees under 37 C. F. R. §§ 1.16 or 1.17 are due in connection with this filing, please charge the fees to Deposit Account No. 02-4300, Order No. 032213M041.

Respectfully submitted,
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Enclosures: (1) Request for Continued Examination
(2) Petition for Extension of Time
(3) Check for the sum of \$1740